

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL CASE NO. 3:09cv23

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**\$16,260.00 IN UNITED STATES
CURRENCY,**

Defendant.

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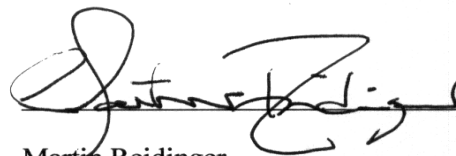
ORDER

THIS MATTER is before the Court on the Government's Motion for Default Judgment of Forfeiture [Doc. 6], filed April 30, 2009.

The Government initiated this action on January 16, 2009 for the *in rem* forfeiture of currency seized from a vehicle driven by James Edward McLean on June 28, 2008. [Doc. 2]. The vehicle had been rented by Latasha Ann Dean. [Id.]. According to the affidavit filed in support of the arrest warrant, there were two other individuals in the vehicle at the time of the traffic stop which led to the seizure. [Id.]. It is unclear whether Dean was one of those individuals.

On May 12, 2009, the Clerk of Court entered default upon the Government's motion. [Doc. 8]. The Government had previously moved for default judgment and attached to the motion proof that it had attempted to serve Dean with notice of the forfeiture action by mail. [Doc. 6-2]. It has not shown, however, that it provided notice by mail to any other potential claimant or alleged that such notice was not required. Rule G(4)(b)(i) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims ("The government must send notice of the action and a copy of the complaint to any person who reasonably appears to be a potential claimant on the facts known to the government before the end of the time for filing a claim").

IT IS, THEREFORE, ORDERED that on or before fifteen (15) days from entry of this Order, the Government shall advise whether it provided notice by mail to any other potential claimant or shall advise why such notice was not required.


Martin Reidinger
United States District Judge



Signed: May 18, 2009